

Atty. Docket No. SOM01 P329A

## CERTIFICATE OF MAILING

I hereby certify that this paper, together with all enclosures identified herein, are being sent by facsimile to the Assistant Commissioner for Patents, at 703/872-9303, on the date indicated below. A total of 23 page(s) should be received.

05-20-03  
Date

Sharla A. Waller  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3736  
Examiner : Joseph A. Cadugan  
Applicants : Bruce J. Barrett et al.  
Appln. No. : 09/807,676  
Filing Date : July 12, 2001  
Confirmation No. : 2249  
For : MULTI-CHANNEL NON-INVASIVE TISSUE OXIMETER

FAX RECEIVED

MAY 20 2003

GROUP 3700

Assistant Commissioner for Patents  
Box AF  
Washington, D.C. 20231

Dear Sir:

AMENDMENT UNDER 37 C.F.R. §1.116

*Please  
Enter  
5/29/03*

In response to the Office Action mailed February 20, 2003, Applicants have amended the specification to add a claim of priority and have amended numerous claims to address the Examiner's 35 U.S.C. §112, second paragraph, rejection of claims 33, 35 and 40-47 and the Examiner's request for Applicants to thoroughly review the claims and correct any other such errors. Applicants respectfully request entry of this amendment as it puts the claims in better form for consideration on appeal.

In the Specification:

Please insert the following paragraph as the first paragraph of the specification following the title.

*B'*

-- This application is a national stage of International Application No. PCT/US99/22940, filed October 13, 1999, which claims the benefit of U.S. Provisional Application Serial No. 60/103,985, filed October 13, 1998. --